

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 * * *

4 JASMINE PAUL SANCHEZ,
5 Plaintiff,
6 v.
7 CHET RIGNEY,
8 Defendant.

Case No. 3:22-cv-00109-ART-CLB

**ORDER GRANTING IFP APPLICATION
AND DIRECTING SERVICE OF
PROCESS**

10 This action began with a civil-rights complaint filed under 42 U.S.C. § 1983 by pro
11 se plaintiff Jasmine Sanchez, an inmate in the custody of the Nevada Department of
12 Corrections. (ECF No. 1-1). Sanchez has applied to proceed *in forma pauperis*. (ECF
13 No. 1). Based on the financial information provided, the Court finds that Sanchez is
14 unable to prepay the full filing fee in this matter.

15 On April 1, 2022, the Court imposed a stay and entered subsequent orders in which
16 the parties were assigned to mediation by a court-appointed mediator. (ECF Nos. 3, 8).
17 On September 21, 2022, in the interests of justice, this Court excluded this action from
18 the Court's mediation program. (ECF No. 10).

19 For the foregoing reasons, **IT IS HEREBY ORDERED** that:

20 1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is
21 **GRANTED**. Plaintiff shall not be required to pay an initial installment of the filing fee. But
22 if this action is dismissed, the full filing fee must still be paid under 28 U.S.C. § 1915(b)(2).

23 2. Plaintiff is permitted to maintain this action to conclusion without the
24 necessity of prepayment of any additional fees or costs or the giving of security therefor.

25 3. Under 28 U.S.C. § 1915, as amended by the Prison Litigation Reform Act,
26 the Nevada Department of Corrections will forward payments from the account of
27 **Jasmine P. Sanchez, #1148512** to the Clerk of the United States District Court, District
28 of Nevada, 20% of the preceding month's deposits (in months that the account exceeds

1 \$10) until the full \$350 filing fee has been paid for this action. The Clerk of the Court will
2 **SEND** a copy of this Order to (1) the Finance Division of the Clerk's Office and (2) the
3 attention of the Chief of Inmate Services for the Nevada Department of Corrections, P.O.
4 Box 7011, Carson City, NV 89702.

5 4. The Clerk of the Court will electronically **SERVE** a copy of this order, the
6 Court's April 1, 2022, screening order (ECF No. 3), and a copy of Plaintiff's complaint
7 (ECF No. 4) on the Office of the Attorney General of the State of Nevada by adding the
8 Attorney General of the State of Nevada to the docket sheet, if necessary. This does not
9 indicate acceptance of service.

10 5. Subject to the findings of the screening order (ECF No. 3), within 21 days
11 of the entry date of this order, the Attorney General's Office must file a notice advising the
12 Court and Plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the
13 names of the defendants for whom it does not accept service, and (c) the names of the
14 defendants for whom it is filing the last-known-address information under seal. As to any
15 of the named defendants for whom the Attorney General's Office cannot accept service,
16 the Attorney General's Office will file, under seal, but will not serve the inmate Plaintiff the
17 last known address of any defendant for whom it has such information. If the last known
18 address of any defendant is a post office box, the Attorney General's Office must attempt
19 to obtain and provide the defendant's last known physical address.

20 6. If service cannot be accepted for any named defendant, Plaintiff must file a
21 motion identifying all unserved defendants, requesting issuance of a summons, and
22 specifying a full name and address for any such defendant. Plaintiff must provide the full
23 name and address for any defendant for whom the Attorney General's Office has not
24 provided last-known-address information.

25 7. If the Attorney General's Office accepts service of process for any named
26 defendant, such defendant must file and serve an answer or other response to the
27 complaint (ECF No. 4) within 60 days from the entry date of this order.

8. For any named defendant for whom the Attorney General's Office does not accept service, service of the operative complaint must be accomplished within 90 days of the entry date of this order.

9. Plaintiff must serve upon all defendants or, if an appearance has been entered by counsel, upon their attorneys, a copy of every pleading, motion or other document submitted for consideration by the Court. Plaintiff must include with the original document submitted for filing a certificate stating the date that a true and correct copy of the document was mailed or electronically sent to the defendants or their counsel. If counsel has entered a notice of appearance, Plaintiff must direct service to the individual attorney named in the notice of appearance, at the physical or electronic address stated therein. The Court may disregard any document received by a district judge or magistrate judge that has not been filed with the Clerk, and any document received by a district judge, magistrate judge, or the Clerk that fails to include a certificate showing proper service.

10 This case is no longer stayed

DATED THIS 6th day of October 2022.

UNITED STATES MAGISTRATE JUDGE